

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

PETER G. ANGELOS,

Plaintiff,

v.

TOKAI PHARMACEUTICALS, INC., JODIE POPE  
MORRISON, LEE H. KALOWSKI, SETH L. HARRISON,  
TIMOTHY J. BARBERICH, DAVID A. KESSLER,  
JOSEPH A. YANCHIK, III, BMO CAPITAL MARKETS  
CORP., STIFEL, NICOLAUS & COMPANY,  
INCORPORATED, WILLIAM BLAIR & COMPANY,  
L.L.C., and, JANNEY MONTGOMERY SCOTT LLC,

Defendants.

Case No. 17-cv-11365-MLW

**MOTION OF PLAINTIFF PETER G. ANGELOS  
FOR FURTHER SETTLEMENT CONFERENCE**

Plaintiff Peter G. Angelos moves for a further settlement conference in this case on the grounds stated below; and in the event that the Settlement Conference does not result in the resolution of this matter, requests that a date for argument of the pending motions to dismiss be set for a date convenient for the Court.

The initial settlement conference (the "ISC") in this case was held on August 22, 2018. Plaintiff provided defendants' counsel with a written settlement proposal before the conference as provided in Rule 16.1(c) of the Court. However, defendants declined to make any counter-offer to plaintiff's proposal, stating (in substance) at the ISC that they preferred to take their chances at moving to dismiss the First Amended Complaint (of which they had been provided a preliminary version prior to the ISC). In addition, notwithstanding the Court's Order of August 1, 2018 (Doc. No. 64), no representative of the Underwriter Defendants (BMO Capital Markets Corp. Stifel, Nicolaus & Company Incorporated, William Blair & Company, L.L.C. and Janney Montgomery Scott LLC) attended the ISC; only their counsel did.

As defendant does not consent, this motion is hereby DENIED. However, it is hereby ordered that the parties confer and report by January 23, 2020 as to whether they have agreed to

Settlement. No hearing on the motion to dismiss. I will be held on February 18, 2020, at 8 p.m. WEL, DJ 12/27/19